

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:22-CV-104-D

WANDA MARIE ALLEN,

Plaintiff,

v.

WELLS FARGO HOME MORTGAGE
BANK, N.A.,

Defendant.

ORDER

On May 16, 2022, plaintiff, appearing pro se, filed a motion to proceed in forma pauperis [D.E. 6]. Pursuant to 28 U.S.C. § 636(b)(1), the court referred the matter to Magistrate Judge Kimberly A. Swank for a memorandum and recommendation on the plaintiff's motions to proceed in forma pauperis and for frivolity review [D.E. 11]. On June 20, 2022, Magistrate Judge Swank issued a Memorandum and Recommendation ("M&R") and recommended that plaintiff's application to proceed in forma pauperis be denied and that plaintiff be given until July 25, 2022, to pay the requisite fee. See [D.E. 21]. On July 13, 2022, this court adopted the M&R [D.E. 18], ordered plaintiff to pay the \$402.00 filing fee not later than July 25, 2022, or the clerk would close the case without further order from the court. Plaintiff did not pay the filing fee. On July 26, 2022, the Clerk of Court closed the case.

On August 17, 2022, plaintiff appealed to the United States Court of Appeals for the Fourth Circuit [D.E. 27]. On August 27, 2022, plaintiff appealed to the United States Court of Appeals for the Federal Circuit [D.E. 30]. On November 14, 2022, the Fourth Circuit dismissed plaintiff's

appeal for failure to prosecute [D.E. 34]. On December 15, 2022, the Federal Circuit dismissed the appeal for lack of jurisdiction [D.E. 36].

On August 16, 2023, plaintiff filed a motion to amend in order to pursue criminal charges, for an “automatic stay and restraining order issued without notice,” for an “automatic stay,” and for a “stay pending appeal” [D.E. 38].

In light of the record, the case remains closed. Thus, plaintiff’s motion [D.E. 38] is DISMISSED.

SO ORDERED. This 17 day of August, 2023.



JAMES C. DEVER III
United States District Judge